

## **TITLE 327 WATER POLLUTION CONTROL BOARD**

### **DRAFT RULE**

#98-273(WPCB)

### **DIGEST**

Adds a new rule concerning the classification of wastewater treatment plants and the examination and certification of operators. Effective 30 days after filing with the secretary of state.

### **HISTORY**

First Notice of Comment Period: #98-273(WPCB) January 1, 1999, Indiana Register (22 IR 1260).

Second Notice of Comment Period: May 1, 2000, Indiana Register (23 IR 2111).

Notice of First Hearing: June 1, 2000, Indiana Register (23 IR 2261)

Date of First Hearing: June 14, 2000.

### **327 IAC 5-22**

SECTION 1. 327 IAC 5-22 IS ADDED TO READ AS FOLLOWS:

#### **Rule 22. Classification of Wastewater Treatment Plants; Examination and Certification of Operators**

##### **327 IAC 5-22-1 Purpose**

**Authority:** IC 13-14-8; IC 13-18-11-13

**Affected:** IC 13-18-11

**Sec. 1. The purpose of this rule is to establish:**

- (1) a classification system of wastewater treatment plants; and**
- (2) the criteria by which a person may become a certified wastewater treatment operator.**

**The intended result of this rule is to promote excellence among wastewater treatment operators for the ultimate goal of protecting Indiana waters receiving treated wastewater discharged from wastewater treatment plants.** *(Water Pollution Control Board; 327 IAC 5-22-1)*

### **327 IAC 5-22-2 Applicability**

**Authority:** IC 13-14-8; IC 13-18-11-13

**Affected:** IC 13-18-11

**Sec. 2. The requirements of this rule apply to a person who works at a wastewater treatment plant in the capacity of a wastewater treatment operator.***(Water Pollution Control Board; 327 IAC 5-22-2)*

### **327 IAC 5-22-3 Definitions**

**Authority:** IC 13-14-8; IC 13-18-11-13

**Affected:** IC 13-11-2; IC 13-18-11

**Sec. 3. In addition to the definitions contained in IC 13-11-2 and 327 IAC 1, the following definitions apply throughout this rule:**

**(1) Acceptable experience@ means employment in the actual hands-on operation of a wastewater treatment plant. Experience in wastewater treatment plant maintenance will be given fifty percent (50%) credit for operational experience for those employed solely in this area. Experience in wastewater laboratory will be given full credit for operational experience for those employed solely in this area.**

**(2) Applicant@ means a person seeking certification as a wastewater treatment operator, whether or not the person is currently employed as an operator.**

**(3) Application@ means a written request for certification under this rule addressed to the commissioner.**

**(4) Certificate@ means an appropriate document containing the following information:**

**(A) Affirmation that the named person has fulfilled the requirements, including receiving a passing examination grade, necessary for the operation of the wastewater treatment plant or collection system for which application was made.**

**(B) The treatment plant classification that may be operated under the issued certificate.**

**(C) The date of issuance.**

**(D) An identification number unique to each certificate document.**

**(5) A Certification card® means a card issued to a person who has fulfilled the requirements to be a wastewater certified operator and contains the following information:**

**(A) The name and certificate number of the person.**

**(B) The classification of wastewater treatment plant that the named person may operate.**

**(C) An expiration date.**

**(6) A Certified operator® means a person who has:**

**(A) met the requirements of this rule; and**

**(B) a valid certificate for wastewater treatment.**

**(7) A Contact hour® means a fifty (50) to sixty (60) minute instructional session involving a qualified instructor or lecturer. Ten (10) contact hours equals one (1) continuing education unit (CEU).**

**(8) A Design population equivalent® means the PE for which the plant is designed.**

**(9) A Population equivalent® or APE® means the calculated population that would contribute the same amount of biochemical oxygen demand (BOD) per day using the base of seventeen-hundredths (0.17) pound of five (5) day BOD per capita per day.**

**(10) A Responsible charge® means the person responsible for the overall daily operation, supervision, or management of a water or wastewater facility. In Class III, IV, C, or D plants, the individual supervising and responsible for a major section of the plant or an operating shift may be credited with responsible charge experience.**

**(11) A Training provider® means a person or organization that conducts or presents a course training session approved under this rule.**

*(Water Pollution Control Board; 327 IAC 5-22-3)*

**327 IAC 5-22-4 Classification of wastewater treatment plants; nonindustrial treatment plants**

**Authority:** IC 13-14-8; IC 13-18-11-2; IC 13-18-11-13

**Affected:** IC 13-18-11

**Sec. 4. A nonindustrial wastewater treatment plant shall be classified into one (1) of five (5) classifications based on the design population equivalent of the plant according to the following:**

- (1) Class I-SP includes all waste stabilization ponds, whether controlled discharge or continuous discharge, regardless of flow.**
- (2) Class I includes plants having a design population equivalent of less than two thousand (2,000).**
- (3) Class II includes plants having a design population equivalent equal to or greater than two thousand (2,000) and less than ten thousand (10,000).**
- (4) Class III includes plants having a design population equivalent equal to or greater than ten thousand (10,000) and less than forty thousand (40,000).**
- (5) Class IV includes plants having a design population equivalent greater than forty thousand (40,000).**

*(Water Pollution Control Board; 327 IAC 5-22-4)*

**327 IAC 5-22-5 Classification of wastewater treatment plants; industrial treatment plants**

**Authority:** IC 13-14-8; IC 13-18-11-2; IC 13-18-11-13

**Affected:** IC 13-18-11

**Sec. 5. (a) An industrial wastewater treatment plant shall be classified into one (1) of five (5) classifications based on the type of treatment provided, design population equivalent, and the average daily flow according to the following:**

- (1) Class A-SO includes industrial treatment plants having the following:**

**(A) Primary solids removal facilities, such as settling tanks, settling ponds, sand filters, or screens, used only for removal of settleable inorganic solids.**

**(B) Tanks, ponds, centrifuges, or other facilities**

**used to separate floatable oils and solids.**

**(C) Simple pH neutralization may be included.**

**Wastewater flow is not a limiting factor in the classification of this type of industrial treatment plant.**

**(2) Class A includes industrial treatment plants having the following:**

**(A) Secondary treatment facilities, such as:**

**(i) waste stabilization  
ponds whether anaerobic  
or aerobic;**

**(ii) trickling filter;**

**(iii) activated sludge-type  
treatment plants;**

**(iv) aerated lagoons; or**

**(v) other biological  
treatment facilities that  
treat wastewater loads of  
less than two thousand  
(2,000) design population  
equivalent.**

**(B) Spray, broad, or ridge and furrow irrigation  
facilities that treat a wastewater flow of less than  
two hundred thousand (200,000) gallons per day.**

**(3) Class B includes industrial treatment plants having the following:**

**(A) Secondary treatment facilities, such as:**

**(i) waste stabilization  
ponds whether anaerobic  
or aerobic;**

**(ii) trickling filter;**

**(iii) activated sludge-type  
treatment plants;**

**(iv) aerated lagoons; or**

**(v) other biological treatment facilities that treat wastewater loads equal to or greater than two thousand (2,000) design population equivalent and less than ten thousand (10,000) design population equivalent.**

**(B) Spray, broad, or ridge and furrow irrigation facilities that treat a wastewater flow equal to or greater than two hundred thousand (200,000) gallons per day and less than one million (1,000,000) gallons per day.**

**(C) Chemical treatment facilities that process or treat wastewater flow of less than fifty thousand (50,000) gallons per day using one (1) of the following methods:**

**(i) Cyanide destruction.**

**(ii) Chromium reduction.**

**(iii) Acid or alkali neutralization.**

**(iv) Coagulation and flocculation.**

**(v) Air flotation.**

**(vi) Air stripping.**

**(vii) Wet air oxidation.**

**(viii) Ion exchange.**

**(ix) Ultrafiltration.**

**(x) Reverse osmosis.**

**(xi) Activated carbon  
filtration.**

**(4) Class C includes industrial treatment plants having the following:**

**(A) Secondary treatment facilities such as:**

**(i) waste stabilization  
ponds whether anaerobic  
or aerobic;**

**(ii) trickling filter;**

**(iii) activated sludge-type  
treatment plants;**

**(iv) aerated lagoons; or**

**(v) other biological  
treatment facilities that  
treat wastewater loads  
equal to or greater than  
ten thousand (10,000)  
design population  
equivalent and less than  
forty thousand (40,000)  
design population  
equivalent.**

**(B) Spray, broad, or ridge and furrow irrigation  
facilities that treat a wastewater flow equal to or  
greater than one million (1,000,000) gallons per  
day and less than four million (4,000,000) gallons  
per day.**

**(C) Chemical treatment facilities that process or  
treat wastewater flow equal to or greater than  
fifty thousand (50,000) gallons per day and less  
than two hundred thousand (200,000) gallons per  
day using one (1) of the following methods:**

**(i) Cyanide destruction.**

**(ii) Chromium reduction.**

**(iii) Acid or alkali**

**neutralization.**

**(iv) Coagulation and flocculation.**

**(v) Air flotation.**

**(vi) Air stripping.**

**(vii) Wet air oxidation.**

**(viii) Ion exchange.**

**(ix) Ultrafiltration.**

**(x) Reverse osmosis.**

**(xi) Activated carbon filtration.**

**(5) Class D includes industrial treatment plants having the following:**

**(A) Secondary treatment facilities such as:**

**(i) waste stabilization ponds whether anaerobic or aerobic;**

**(ii) trickling filter;**

**(iii) activated sludge-type treatment plants;**

**(iv) aerated lagoons; or**

**(v) other biological treatment facilities that treat wastewater loads equal to or greater than forty thousand (40,000) design population equivalent.**

**(B) Chemical treatment facilities that process or treat a wastewater flow equal to or greater than two hundred thousand (200,000) gallons per day**



**using one (1) of the following methods:**

- (i) Cyanide destruction.**
- (ii) Chromium reduction.**
- (iii) Acid or alkali neutralization.**
- (iv) Coagulation and flocculation.**
- (v) Air flotation.**
- (vi) Air stripping.**
- (vii) Wet air oxidation.**
- (viii) Ion exchange.**
- (ix) Ultrafiltration.**
- (x) Reverse osmosis.**

**(C) Deep well disposal systems, thermal evaporators, or incinerators used in conjunction with liquid waste disposal.**

**(D) Two (2) or more wastewater treatment plants at one (1) industrial site if each independent wastewater treatment plant is classified as a Class B or C wastewater treatment plant.**

**(E) An industry utilizing a highly complex wastewater treatment method.**

**(b) If an industrial wastewater treatment plant has more than one (1) treatment process despite having only one (1) wastewater treatment plant, that industrial wastewater treatment plant shall be classified into the classification of the most complex component of wastewater treatment performed in relation to the following factors:**

- (1) Secondary treatment PE.**
- (2) Spray irrigation volume.**
- (3) Chemical treatment volume.**

*(Water Pollution Control Board; 327 IAC 5-22-5)*

**327 IAC 5-22-6 Classification of wastewater treatment plants; reclassification**

**Authority: IC 13-14-8; IC 13-18-11-2; IC 13-18-11-13**

**Affected: IC 13-18-11**

**Sec. 6. (a) A wastewater treatment plant may be reclassified by the commissioner if a change occurs to the wastewater treatment plants operation, treatment process, or influent wastewater. The commissioner shall do the following:**

- (1) Consider reclassification of a wastewater treatment plant based upon information supplied by the governing body or owner in a construction permit application for modification.**
- (2) Give written notice of a reclassification to the governing body or owner and to the certified operator in responsible charge indicating the following:**
  - (A) The classification of certified operator that is necessary to supervise the reclassified wastewater treatment plant.**
  - (B) A date by which time a certified operator required according to clause (A) must be in responsible charge of the reclassified wastewater treatment plant.**

**(b) A wastewater treatment plant may be reclassified by the commissioner if one (1) of the following situations exists:**

- (1) The wastewater treatment plant utilizes special or complex equipment or features of design requiring more difficult operation.**
- (2) The wastewater is unusually difficult to treat.**
- (3) More than ordinary chemical or bacteriological controls are required.**
- (4) An unusually high degree of skill is required in the operation of the**

**wastewater treatment plant to assure continuous production of effluent that meets the water quality requirements of the receiving stream and the National Pollutant Discharge Elimination System (NPDES) permit limitations.**

*(Water Pollution Control Board; 327 IAC 5-22-6)*

**327 IAC 5-22-7 Qualifications of a certified operator**

**Authority: IC 13-14-8; IC 13-18-11-13**

**Affected: IC 13-18-11**

**Sec. 7. (a) In order to become a wastewater treatment plant certified operator, a person must:**

- (1) meet the minimum qualifications specified in subsection (b); and**
- (2) pass the wastewater treatment certification examination required by the commissioner unless exempted by statute or rule.**

**(b) Prior to applying to take the commissioner's wastewater treatment certification examination, a person must have the following qualifications:**

**(1) The educational skills necessary to:**

- (A) cipher fractions and decimals;**
- (B) read a linear scale;**
- (C) calculate volumes of simple shapes;**
- (D) make simple computations of multiplication and division;**
- (E) keep records;**
- (F) read and write the English language to the extent of interpreting service manuals and work orders and submitting written reports; and**
- (G) understand basic principles of science and sanitation.**

**(2) Experience acceptable to the commissioner in the field of wastewater treatment that:**

**(A) demonstrates the examination applicants technical knowledge;**

**(B) can be verified based on information from available sources, primarily the applicants wastewater treatment plant employer; and**

**(C) is the result of satisfactory accomplishment of wastewater treatment plant work measured from the date of employment of the applicant to the end of the thirty (30) day grading period following the examination.**

**(c) In accordance with 327 IAC 8-12-3.2(e), a grade WT3, WT4, and WT5 operator is qualified to apply for the appropriate wastewater treatment certification to treat wastewater from a water treatment plant provided the operator is certified to operate that classification of water treatment plant. (*Water Pollution Control Board; 327 IAC 5-22-7*)**

#### **327 IAC 5-22-8 Classification of certified operators**

**Authority: IC 13-14-8; IC 13-18-11-3; IC 13-18-11-13**

**Affected: IC 13-18-11**

**Sec. 8. A wastewater treatment certified operator may possess a valid certification in one (1) or more of the following eleven (11) classes of certified operators:**

**(1) Class operator-in-training (O.I.T.) is a class for both industrial and nonindustrial wastewater treatment plant operators to whom a certificate shall be issued for a nonrenewable, one (1) year period. In order to be an eligible examination applicant for this operator class, a person must have attained the following:**

**(A) A high school diploma or equivalent education.**

**(B) Three (3) months of acceptable experience in a wastewater treatment plant or completion of an approved training course.**

**(2) Class A-SO is a class for industrial wastewater treatment plant operators of Class A-SO wastewater treatment plants. In order to be an eligible examination applicant for this operator class, a person must have attained the following:**

**(A) Completion of high school or equivalent**

**education.**

**(B) One (1) year of acceptable experience in a wastewater treatment plant.**

**(3) Class I and Class I-SP are classes for nonindustrial wastewater treatment plant operators and Class A is a class for industrial wastewater treatment plant operators. In order to be an eligible examination applicant for these operator classes, a person must have attained the following:**

**(A) A high school diploma or equivalent education.**

**(B) One (1) year of acceptable experience at a wastewater treatment plant.**

**(4) Class II is a class for nonindustrial wastewater treatment plant operators, and Class B is a class for industrial wastewater treatment plant operators. In order to be an eligible examination applicant for these operator classes, a person must have attained the following:**

**(A) A high school diploma or equivalent education.**

**(B) Three (3) years of acceptable experience at a wastewater treatment plant.**

**(5) Class III is a class for nonindustrial wastewater treatment plant operators, and Class C is a class for industrial wastewater treatment plant operators. In order to be an eligible examination applicant for these operator classes, a person must have attained the following:**

**(A) A high school diploma or equivalent education.**

**(B) Three (3) years of acceptable experience at a wastewater treatment plant of one (1) of the following types:**

**(i) Class II.**

**(ii) Class III.**

**(iii) Class IV.**

**(iv) Class B.**

**(v) Class C.**

**(vi) Class D.**

**(C) Two (2) years of the three (3) years experience required by clause (B) must be in a position of responsible charge at a wastewater treatment plant of one (1) of the following types:**

**(i) Class II.**

**(ii) Class III.**

**(iii) Class IV.**

**(iv) Class B.**

**(v) Class C.**

**(vi) Class D.**

**(6) Class IV is a class for nonindustrial wastewater treatment plant operators, and Class D is a class for industrial wastewater treatment plant operators. In order to be an eligible examination applicant for these operator classes, a person must have attained the following:**

**(A) A college degree with a major in a science curriculum or an associates degree in a curriculum related to wastewater treatment.**

**(B) At least five (5) years of acceptable experience at a wastewater treatment plant of one (1) of the following types:**

**(i) Class III.**

**(ii) Class IV.**

**(iii) Class C.**

**(iv) Class D.**

**(C) Two (2) years of the five (5) years experience required by clause (B) must be in a position of**

**responsible charge at a wastewater treatment plant of one (1) of the following types:**

- (i) **Class III.**
- (ii) **Class IV.**
- (iii) **Class C.**
- (iv) **Class D.**

*(Water Pollution Control Board; 327 IAC 5-22-8)*

### **327 IAC 5-22-9 Substitution of qualifications**

**Authority:** IC 13-14-8; IC 13-18-11-13

**Affected:** IC 13-18-11

**Sec. 9. Education and experience qualifications required by section 8 of this rule may be fulfilled through substitutions based on the following table:**

Class	Education	Experience		Substitution of Experience for Responsible Charge	Substitution of Experience for Education
		Total Required	Substi-tutable		
O.I.T.	High school diploma or G.E.D.	3 months	3 months		See Note (2)
			See Note (4)	---	
A-SO, A, I, and I-SP	High school diploma or G.E.D.	1 year	0	---	See Note (2)
B and II	High school diploma or G.E.D.	3 years	1 year	---	See Note (2)
			See Note (1)		
C and III	High school diploma or G.E.D.	3 years at Class B, II, or higher	1 year	See Note (5)	See Note (2)
			See Note (1)		

		and 2 years responsible charge			
D and IV	College degree	5 years at Class C, III, or higher and 2 years responsible charge	2 years  See Note (1)	See Note (5)	See Note (2)
	See Note (3)				

**Note (1):** Sixteen (16) semester hours, twenty-four (24) credit hours, or twenty-four (24) continuing education units equals one (1) year of experience. There is no substitution of education for responsible charge experience. The portion of education that is applied toward substitution for experience cannot be used for the education requirement.

**Note (2):** One (1) year of experience equals two (2) years of high school or six (6) months of college. One (1) year of responsible charge experience equals one (1) year of college. The portion of experience that is applied toward substitution for education cannot be used for the experience requirement.

**Note (3):** One (1) year of college equals thirty-two (32) semester hours, forty-eight (48) credit hours, or four hundred eighty (480) contact hours.

**Note (4):** Three (3) months of experience may be substituted with the completion of a comprehensive course in wastewater treatment approved by the commissioner.

**Note (5):** Operational, responsible charge, and educational experience are interchangeable at the following ratios: Two (2) years of operational experience equals one (1) year of responsible charge experience. Two (2) years of operational experience equals one (1) year of college education or two (2) years of high school education. One (1) year of responsible charge experience equals one (1) year of college education or two (2) years of high school education. The portion of experience that is interchanged for another may not be used to satisfy any remaining experience requirement.

*(Water Pollution Control Board; 327 IAC 5-22-9)*

### **327 IAC 5-22-10 Responsibilities**

**Authority:** IC 13-14-8; IC 13-18-11-13

**Affected:** IC 13-18-11

**Sec. 10. (a)** The owner or governing body of a wastewater treatment plant shall notify the commissioner when there is a change of the person serving as the certified operator in responsible charge of the wastewater treatment facility. The notification shall be made no later



than thirty (30) days after a change in the operator.

(b) A certified operator may be designated as being in responsible charge of more than one (1) wastewater treatment plant if it can be demonstrated that the certified operator will give adequate supervision to all units involved. As used in this section, adequate supervision means that sufficient time is spent at the wastewater treatment plant on a regular basis to assure that the certified operator is knowledgeable of the actual operations and that test reports and results are representative of the actual operational conditions. (Water Pollution Control Board; 327 IAC 5-22-10)

**327 IAC 5-22-11 Examination of applicants to become a certified wastewater treatment operator**

**Authority: IC 13-14-8; IC 13-18-11-13**

**Affected: IC 13-18-11**

**Sec. 11. (a) A standardized examination prepared to reflect the duties and responsibilities required of each classification of wastewater treatment operator shall be:**

- (1) used to test knowledge, ability, and judgment of an applicant to become a certified wastewater treatment operator;**
- (2) conducted at least annually; and**
- (3) held at places and times established by the commissioner:**
  - (A) with at least sixty (60) days advanced announcement; and**
  - (B) except in such cases as may be declared necessary exceptions by the commissioner.**

**(b) A person wishing to be examined for wastewater treatment certification shall fulfill the following requirements:**

- (1) Complete an application on a form approved by the commissioner that:**
  - (A) contains true and accurate information to the best of the applicant's knowledge; and**
  - (B) is free of omissions and misrepresentations, either of which may result in rejection of the application or revocation of any certificate previously granted.**

**(2) Submit a completed application, with the necessary fee, to the commissioner not later than forty-five (45) days preceding the date of the examination.**

**(c) The commissioner shall:**

**(1) review an application and supporting documents concerning the eligibility of an applicant for wastewater treatment certification examination; and**

**(2) issue a written notification in the form of an admission slip providing the time and place of the examination to be presented by an applicant deemed eligible for examination.**

**(d) A person who has been notified and scheduled to take an examination:**

**(1) may submit a written request to the commissioner for a postponement to take the examination one (1) offering later than the examination granted by the commissioner if:**

**(A) the postponement for a nonemergency reason is requested no later than fourteen (14) days prior to the examination date noticed to the applicant under subsection (c)(2);**

**(B) the postponement request for an emergency reason is submitted as soon as conditions of the emergency warrant;**

**(C) the applicant provides the commissioner an explicit description of extenuating circumstances necessitating the requested postponement; and**

**(D) the applicant understands that only one (1) postponement shall be allowed; or**

**(2) will be considered to have failed that examination if one (1) of the following occurs:**

**(A) The person does not attend the examination and has not requested a postponement according to subdivision (1).**

**(B) The person is caught cheating on an examination, an occurrence that will make an applicant ineligible to take any operator**

**certification examination for a period of two (2) years following the examination date of the incidence of cheating.**

**(e) Completed examinations shall be managed by the commissioner according to the following:**

**(1) Graded in a manner prescribed by the commissioner with a minimum result of seventy percent (70%) needed in order to pass the examination.**

**(2) The commissioner shall notify an applicant of the examination result:**

**(A) in writing; and**

**(B) no later than two (2) months after the date of the examination.**

**(3) Examination papers shall be retained by the commissioner with an opportunity afforded to an applicant notified of having failed the examination for review of the graded examination until a date ninety (90) days prior to the next scheduled examination if the applicant submits the following to the commissioner:**

**(A) A written request for review of the graded examination.**

**(B) A statement affirming the applicants understanding that examination review does not include the right to copy, by any means, the examination or any portion of it.**

**(f) A person previously certified as a wastewater treatment operator under this rule but who has failed to meet the renewal requirements according to section 14 of this rule must fulfill the following:**

**(1) Retake an examination.**

**(2) Successful completion of continuing education requirements in the amount required for one (1) renewal period as specified in section 15 of this rule.**

**(g) The following exceptions may allow a person to receive wastewater treatment certification without taking an examination:**

**(1) A person seeking wastewater treatment operators certification by reciprocal recognition or on a provisional basis according to section 13 of this rule may file an application required by subsection (b) at the**

**applicant's convenience, subject to expiration dates delineated in other sections of this rule.**

**(2) A certified operator holding a valid nonindustrial wastewater treatment certificate for Class I, Class II, Class III, or Class IV may obtain a Class A industrial certificate without examination by submitting an application required by subsection (b) for the Class A certificate.**

**(3) A certified operator holding a valid industrial certificate for Class A, Class B, Class C, or Class D may obtain a Class I nonindustrial certificate without examination by submitting an application required by subsection (b) for the Class I certificate.**

*(Water Pollution Control Board; 327 IAC 5-22-11)*

**327 IAC 5-22-12 Wastewater treatment operator certification fees**

**Authority: IC 13-14-8; IC 13-18-11-6; IC 13-18-11-13**

**Affected: IC 13-18-11-15**

**Sec. 12. (a) Fees for wastewater treatment operator certification shall be as follows:**

- (1) Certification, including certificate \$30**
- (2) Certification by examination for a new classification \$30**
- (3) Biennial renewal fee \$30**

**(b) An application fee will not be returned to an applicant who:**

- (1) is deemed by the commissioner to be ineligible for wastewater certification examination;**
- (2) does not receive a minimum score of seventy percent (70%) according to section 11(e)(1) of this rule; or**
- (3) has violated section 11(d)(2)(B) of this rule by cheating on the operator certification examination.**

*(Water Pollution Control Board; 327 IAC 5-22-12)*

**327 IAC 5-22-13 Certification; reciprocity; provisional certificate**

**Authority: IC 13-14-8; IC 13-18-11-13**

**Affected: IC 13-18-11-9**

**Sec. 13. (a) The commissioner shall issue a certificate designating competency in the appropriate certified operators classification to each person who makes proper application if the applicant meets the necessary requirements of education and experience and has successfully completed a class appropriate examination. Upon successful completion of examination according to section 11 of this rule, the commissioner shall issue a certificate in the wastewater treatment operator classification for which the applicant was examined.**

**(b) The commissioner may issue a certificate by reciprocity as outlined in IC 13-18-11-9 if the following conditions are met:**

**(1) A person seeking reciprocal certification submits an application for such a certificate that includes the following:**

**(A) Proof of current certification.**

**(B) Classification of the applicant.**

**(2) A person from another state seeking a certificate by reciprocity earns the number of continuing education contact hours for future renewal periods in the time period required by section 15 of this rule though no continuing education contact hours shall be required at the time of conferring the reciprocal certification.**

**(c) The commissioner may issue a provisional wastewater treatment operators certificate if the following occur:**

**(1) The governing body or owner of a wastewater treatment plant submits a written request specifying a reason necessitating the provisional certification, including one (1) of the following:**

**(A) To fill a vacancy created by death.**

**(B) Resignation of the certified operator in responsible charge.**

**(C) Extended illness of the certified operator in responsible charge.**

**(2) The written request required by subdivision (1) provides the name, education, and experience of the person for whom the provisional certificate is requested.**

**(3) The provisional certificate nominee named under subdivision (2) submits, simultaneously with the request submitted under subdivision (1),**

**an application as required by section 11(b) of this rule requesting examination and certification.**

**(4) The provisional certificate nominee named under subdivision (2) is eligible for the next scheduled wastewater certification examination.**

**(d) A provisional certificate shall be:**

**(1) issued by the commissioner in the form of a letter that specifies the conditions of the certification; and**

**(2) valid for the shorter of the following lengths of time:**

**(A) The period between the date of application and the end of the thirty (30) day grading period following the next examination that is available to the provisional certificate nominee.**

**(B) One (1) year.**

*(Water Pollution Control Board; 327 IAC 5-22-13)*

**327 IAC 5-22-14 Certificates and certification cards; renewal; duplicates**

**Authority: IC 13-14-8; IC 13-18-11-4; IC 13-18-11-13**

**Affected: IC 13-18-11-6**

**Sec. 14. (a) A wastewater treatment operators certificate shall:**

**(1) be issued after an applicants successful completion of the classification appropriate examination;**

**(2) specify the month and year that the applicant qualified and the issuance date of the certificate;**

**(3) be permanent in nature but will be effective only when validated by a current certification card; and**

**(4) not be valid if obtained through fraud, deceit, or the submission of inaccurate data on the examination application.**

**(b) A certificate, issued on the basis of the applicants having been in responsible charge of a wastewater treatment plant prior to July 1, 1968, shall remain valid until one (1) of the following occurs:**

**(1) A change in the classification of the wastewater treatment plant for one (1) of the following reasons:**

- (A) Increased capacity.**
- (B) An increase in population served.**
- (C) A basic change in the method of wastewater treatment.**
- (D) Other change in conditions which requires a more difficult operation.**

**(2) The operator is no longer in direct responsible charge.**

**(c) A wastewater treatment certified operator must:**

- (1) provide permanent and visible display of his or her certificate at the wastewater treatment plant office; and**
- (2) obtain a duplicate certificate to display in the office of each wastewater treatment plant supervised, if the certified operator supervises more than one (1) wastewater treatment plant.**

**(d) A certification card shall:**

- (1) be issued for a time period of no more than twenty-four (24) months; and**
- (2) expire on the last day of June nearest the end of the biennial period following the certification card issuance.**

**(e) A wastewater treatment certified operator needing a replacement or duplicate certificate must submit a written request to the commissioner, including the following information:**

- (1) The class of wastewater treatment operator.**
- (2) The name and classification of the wastewater treatment plant to be operated.**
- (3) The date of issuance of the original certificate, if known.**
- (4) The certificate number.**

**(f) The commissioner shall accomplish the following:**

**(1) Issue a renewal notification to each certified wastewater treatment plant operator stating the following:**

**(A) The expiration date of the certified operators certification card.**

**(B) The amount of fee required for certification card renewal.**

**(2) Mail certification card renewal notifications:**

**(A) at least thirty (30) days prior to expiration of the certification card; and**

**(B) to the last known address filed with the commissioner.**

**(3) Renew a certification card if:**

**(A) the continuing education requirements of section 15 of this rule are met;**

**(B) a renewal fee is submitted on or before the first day of July of the biennial period for which a certification card is to be issued; and**

**(C) the notice is signed and returned by the certified operator to the commissioner.**

**(4) Reinstate certification if the certified operator:**

**(A) submits payment of any arrearage of fees;**

**(B) submits payment of the current renewal fee;**

**(C) fulfills arrearage of continuing education credit requirements; and**

**(D) is current in meeting continuing education credit requirements.**

**(5) Deny renewal of a certification card that is not renewed within the time limit established in this section and IC 13-18-11-6(c) unless the operator pursues reinstatement through reapplication and reexamination following the requirements of section 11 of this rule.**



*(Water Pollution Control Board; 327 IAC 5-22-14)*

**327 IAC 5-22-15 Continuing education requirements**

**Authority: IC 13-14-8; IC 13-18-11-13**

**Affected: IC 13-18-11**

**Sec. 15. (a) A certified wastewater treatment operator shall fulfill continuing education requirements in amounts specified in Table 15(b) during each two (2) year period following the issuance of the certification card and prior to having that certification card renewed.**

**(b) Continuing education credits required for certification card renewal in the following classifications of certified wastewater treatment operators are listed in the following table:**

**Table 15(b)**

<b>Certified Wastewater Treatment Operator Classification</b>	<b>Continuing Education Credits Required for Renewal</b>
<b>Class O.I.T.</b>	<b>No continuing education required; certification card not renewable</b>
<b>Class I-SP</b>	<b>5 contact hours</b>
<b>Class A-SO</b>	<b>5 contact hours</b>
<b>Class I</b>	<b>10 contact hours</b>
<b>Class A</b>	<b>10 contact hours</b>
<b>Class II</b>	<b>10 contact hours</b>
<b>Class B</b>	<b>10 contact hours</b>
<b>Class III</b>	<b>20 contact hours</b>
<b>Class C</b>	<b>20 contact hours</b>
<b>Class IV</b>	<b>20 contact hours</b>

**Class D**

**20 contact hours**

**(c) Continuing education credits required according to Table 15(b) must adhere to a distribution of subject matter according to the following:**

**(1) A minimum of seventy percent (70%) of the required continuing education contact hours shall be obtained from the technical category of approved continuing education courses.**

**(2) No more than thirty percent (30%) of the required continuing education contact hours shall be obtained from nontechnical subject matter of approved continuing education courses.**

**(d) A person having a valid certification card in more than one (1) wastewater treatment operator classification:**

**(1) may be given duplicate continuing education credit from a single approved continuing education course for each wastewater treatment certification to which the subject matter is applicable; and**

**(2) must obtain the greatest number of continuing education contact hours required by the various certifications held within the shared one (1) year of certification overlap in order not to be required to obtain continuing education for each certificate held.**

*(Water Pollution Control Board; 327 IAC 5-22-15)*

**327 IAC 5-22-16 Continuing education credit; criteria for approval**

**Authority: IC 13-14-8; IC 13-18-11-13**

**Affected: IC 13-18-11**

**Sec. 16. (a) Continuing education contact hour credit shall be given only for completed course work that has been approved by the commissioner according to the following:**

**(1) A training provider has submitted an application and received continuing education course approval from the commissioner prior to publicly offering a wastewater treatment continuing education course. The application must:**

**(A) be submitted on a form approved by the commissioner;**

**(B) be submitted no less than sixty (60) days before the first date when the course is conducted;**

**(C) be accompanied by a written course outline or brochure; and**

**(D) contain:**

**(i) name, address, and telephone number of a course sponsor, training provider, or other contact person;**

**(ii) name of course;**

**(iii) specific topics that are included in the course presentations;**

**(iv) amount of time devoted to each topic;**

**(v) instructor's name and qualifications, including:**

**(AA) educational background;**

**(BB) professional experience; and**

**(CC) current professional affiliation; and**

**(vi) dates and locations**

**where the course will be offered.**

**(2) The wastewater treatment continuing education course meets the following requirements:**

**(A) The course deals with one (1) or more of the following as determined by the commissioner:**

**(i) Technical matters related directly to wastewater treatment.**

**(ii) General matters related to the responsibilities of a certified operator.**

**(B) Each instructor and speaker is qualified by academic work or practical experience to teach the proposed wastewater treatment continuing education course.**

**(b) A certified wastewater treatment operator may petition the commissioner for approval of a wastewater treatment continuing education course if the following procedures are met:**

**(1) An application of petition is submitted to the commissioner prior to or within thirty (30) days of course completion.**

**(2) The application must contain the information required by subsection (a)(1)(A), (a)(1)(C), and (a)(1)(D).**

**(3) The certified operator must supply written proof of attendance at the wastewater treatment continuing education course within thirty (30) days following course completion.**

**(c) A certified operator who is an instructor or speaker at a wastewater treatment continuing education course shall be credited the same number of contact hours as the students of the course.**

**(d) Continuing education contact hours earned in another state, whether that state has reciprocity with Indiana for the purpose of transferring a certificate of wastewater treatment operator competency, may be eligible for credit if the following are met:**

**(1) The commissioner is provided the information required by subsection (a)(1)(A), (a)(1)(C), and (a)(1)(D) for the course work from which the**

**contact hours were earned.**

**(2) The information required by subdivision (1) is submitted to the commissioner.**

**(3) The commissioner approves the course work from which the contact hours were earned.**

**(e) Partial credit shall not be given to instructors, speakers, or students participating in less than a complete wastewater treatment continuing education course.** *(Water Pollution Control Board; 327 IAC 5-22-16)*

### **327 IAC 5-22-17 Continuing education credit; training provider responsibilities**

**Authority: IC 13-14-8; IC 13-18-11-13**

**Affected: IC 13-18-11**

**Sec. 17. (a) A training provider shall generate records of each wastewater treatment continuing education course conducted that include the following:**

**(1) The date of the wastewater treatment continuing education course.**

**(2) The name of each person in attendance at the wastewater treatment continuing education course.**

**(3) The length of time of the course.**

**(4) The instructor's name.**

**(5) The course content.**

**(6) The name of the organization sponsoring the course.**

**(b) Records required by subsection (a) shall be maintained for a five (5) year period following the presentation of each wastewater treatment continuing education course.**

**(c) A training provider must submit the information required by subsection (a) to the commissioner according to the following:**

**(1) On a form approved by the commissioner.**

**(2) Within thirty (30) days of the conclusion of the wastewater treatment continuing education course.**

*(Water Pollution Control Board; 327 IAC 5-22-17)*

**327 IAC 5-22-18 Suspension or revocation of certification**

**Authority:** IC 13-14-8; IC 13-18-11-13

**Affected:** IC 4-21.5; IC 13-18-11-8

**Sec. 18.** The commissioner may suspend or revoke the wastewater treatment certificate of a wastewater treatment certified operator, following a hearing pursuant to IC 4-21.5, if it is found that the certified operator has violated any provision of IC 13-18-11-8(*Water Pollution Control Board; 327 IAC 5-22-18*)